## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON AT TACOMA

THE UNITED STATES OF AMERICA for the use and benefit of GTS DRYWALL SUPPLY CO., a Washington corporation,

Plaintiff(s),

v.

DICK PACIFIC CONSTRUCTION CO. LTD., a Hawaii Corporation, et al.,

Defendant(s).

NO. C05 5211FDB

STIPULATION AND AGREED ORDER FOR VOLUNTARY DISMISSAL

## **STIPULATION**

Plaintiff, by and through its attorneys of record, Lasher Holzapfel Sperry & Ebberson, P.L.L.C. and the defendant Dick Pacific Construction Co. Ltd., M. Kennedy Co., Inc., Dick Pacific/M. Kennedy, JV, and American Casualty Co. of Reading, PA, by and through its counsel of record, Richard H. Skalbania and Stanislaw Ashbaugh LLP, defendants Christenson and defendants C L Integrity Corporation and Craig A. Long, hereby stipulate and agree that

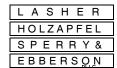
2600 TWO UNION SQUARE 601 UNION STREET SEATTLE, WA 98101-4000 (206) 624-1230 FAX (206) 340-2563

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STIPULATION AND AGREED ORDER FOR VOLUNTARY DISMISSAL - 1 {R:\Clients\14857\S329532.DOC}

1 plaintiff's complaint shall be dismissed with prejudice as to Dick Pacific Construction Co. Ltd., M. 2 Kennedy Co., Inc., Dick Pacific/M. Kennedy, JV, and American Casualty Co. of Reading, PA, and 3 without prejudice as to the remaining defendants, and without cost or fees awarded to any party. 4 5 LASHER HOLZAPFEL STANISLAW ASHBAUGH LLP SPERRY & EBBERSON, PLLC 6 7 /s/ Mario A. Bianchi /s/ Richard H. Skalbania\_\_ Danial D. Pharris, WSBA #13617 Richard H. Skalbania 8 Mario A. Bianchi, WSBA #31742 WSBA #17613 9 Attorneys for Plaintiff GTS Drywall Attorneys for defendants Dick Pacific Construction Co. Ltd., Dick Pacific/M. 10 Kennedy, JV, American Casualty Co. of 11 Reading, PA C L INTEGRITY CORPORATION 12 13 By: \_\_see attached\_ see attached Craig A. Long Craig A. Long, pro se defendant 14 Its: Vice President 15 16 see attached see attached 17 Gregg R. Christenson, pro se defendant Elaine M. Christenson, pro se defendant 18 **ORDER** 19 Based upon the foregoing stipulation by parties, it is hereby 20 21 ORDERED that this action and all claims asserted herein are DISMISSED with prejudice as 22 to Dick Pacific Construction Co. Ltd., M. Kennedy Co., Inc., Dick Pacific/M. Kennedy, JV, and 23 American Casualty Co. of Reading, PA, and without prejudice as to the remaining defendants, and 24 without cost or fees awarded to any party. 25 2600 Two Union Square 601 UNION STREET

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1 Any trial date and pretrial dates previously set are hereby VACATED. 2 DATED this 24<sup>th</sup> day of August 2005. 3 4 5 6 **FRANKLIN BURGESS** 7 UNITED STATES DISTRICT JUDGE 8 9 Presented by: 10 LASHER HOLZAPFEL 11 SPERRY & EBBERSON, P.L.L.C. 12 13 /s/ Mario A. Bianchi\_ Danial D. Pharris, WSBA #13617 14 Mario A. Bianchi, WSBA 31742 Attorneys for Plaintiff GTS 15 16 Approved as to form; notice of presentation waived: 17 18 STANISLAW ASHBAUGH LLP 19 20 \_/s/ Richard H. Skalbania\_\_ 21 Richard H. Skalbania WSBA #17613 22 Attorneys for defendants Dick Pacific 23 Construction Co. Ltd., Dick Pacific/M. Kennedy, JV, American Casualty Co. of 24 Reading, PA 25 2600 Two Union Square 601 UNION STREET SEATTLE, WA 98101-4000

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LASHER HOLZAPFEL SPERRY& EBBERSON

1	C L INTEGRITY CORPORATION
2	By: <u>see attached</u>
3	Craig A. Long
4	Its: Vice President
5	
6	<u>see attached</u> Craig A. Long, pro se defendant
7	Craig A. Long, pro se defendant
8	<u>see attached</u> Gregg R. Christenson, pro se defendant
9	Gregg R. Christenson, pro se defendant
10	see attached Elaine M. Christenson, pro se defendant
11	Elaine M. Christenson, pro se defendant
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## **CERTIFICATE OF SERVICE**

I hereby certify that on August 17, 2005, I electronically filed the foregoing Stipulation and Agreed Order for Voluntary Dismissal with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Richard H. Skalbania Stanislaw Ashbaugh LLP 701 Fifth Ave. #4400 Seattle, WA 98104 richs@stanislaw-ashbaugh.com

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DATED this 17th day of August, 2005.

LASHER HOLZAPFEL SPERRY & EBBERSON, P.L.L.C.

\_\_\_\_\_/s/Mario A. Bianchi\_ Danial D. Pharris, WSBA #13617 Mario A. Bianchi, WSBA 31742 Attorneys for Plaintiff GTS pharris@lasher.com

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